John M. Flannery (JMF-0229) WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP 3 Gannett Drive White Plains, New York 10604 (914) 323-7000

Attorneys for Defendant BATTERY PARK CITY AUTHORITY

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

----- x 21 MC 102(AKH)

IN RE: WORLD TRADE CENTER LOWER
MANHATTAN DISASTER SITE LITIGATION

-----x Civil Action No.: 07CV1730

JORGE ZELAYA and MARIA ZELAYA,

Plaintiff(s), NOTICE OF BATTERY PARK

CITY AUTHORITY's

-against
ADOPTION OF ANSWER TO

: MASTER COMPLAINT

ALAN KASMAN D/B/A KASCO, ET AL.,

Defendant(s).

PLEASE TAKE NOTICE THAT defendant, BATTERY PARK CITY AUTHORITY, as and for their responses to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) Related to the Master Complaint filed in the above-referenced action, hereby adopt BATTERY PARK CITY AUTHORITY's Answer to the Master Complaint dated August 1, 2007, which was filed in the matter of *In re World Trade Center Lower Manhattan Disaster site Litigation*, 21 MC 102 (AKH).

WHEREFORE, BATTERY PARK CITY AUTHORITY demands judgment dismissing the above-captioned action as against each of them, together with their costs and disbursements.

Dated: White Plains, New York September 26, 2007 Yours, etc.,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP
Attorneys for Defendants
BATTERY PARK CITY AUTHORITY
3 Gannett Drive
White Plains, New York 10604
(914) 323-7000

John M. Flannery (JMF-0229)

File No.: 06867.00371

Bv: